



Sam's office

State of North Carolina

## Office of State Budget and Management

**Michael F. Easley**  
Governor and Director  
of the Budget

**David T. McCoy**  
State Budget Officer

March 16, 2004

### MEMORANDUM

TO: Senator Marc Basnight, President Pro-Tempore of the Senate  
Representative Jim Black, Speaker of the House of Representatives  
Representative Richard Morgan, Speaker of the House of Representatives

FROM: David McCoy *David McCoy*

SUBJECT: Consultation on Allocations from the Contingency and Emergency Fund

Pursuant to G.S. 120-76(8)(a), the Office of State Budget and Management is providing the following information regarding the allocation of Contingency and Emergency Funds:

North Carolina Board of Pharmacy v. Rules Commission, et al - \$20,550

This request would provide funding to the North Carolina Rules Commission to pay for the legal services of the law firm McMillan Smith and Plyler in reference to the case North Carolina Board of Pharmacy v. Rules Commission, et al. This lawsuit was filed as a result of the North Carolina Rules Review Commission's objection to a rule (.2506) submitted by the North Carolina Board of Pharmacy. The Pharmacy Board chose not to change the rule in response to the objection by the Commission. The Court affirmed the Commission's objection to Rule .2506 and denied the Pharmacy Board's claim seeking validation of said rule.

The Office of State Budget and Management is available to respond to any questions you have regarding these matters.

DM:sl